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Attorney for Plaintiffs, DAVID J. LEE and  
DANIEL R. LLOYD

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

DAVID J. LEE and DANIEL R. LLOYD,  
as individuals and, on behalf of others  
similarly situated,

Plaintiffs,

vs.

CHASE MANHATTAN BANK U.S.A.,  
N.A., a Delaware corporation, CHASE  
MANHATTAN BANK U.S.A., N.A. d.b.a.  
CHASE BANK U.S.A., N.A., JPMORGAN  
CHASE & CO., a Delaware corporation;  
and DOES 1, through 100, inclusive,

Defendants.

Case No.: C 07-4732 MJJ

PLAINTIFFS' REQUEST FOR  
JUDICIAL NOTICE

[MEMORANDUM OF POINTS &  
AUTHORITIES, AND PROPOSED  
ORDER, FILED CONCURRENTLY]

DATE: January 29, 2008

TIME: 9:30 a.m.

CTRM: 11

19<sup>th</sup> Floor

450 Golden Gate Ave.

San Francisco, Ca. 94102

1 Plaintiffs, David J. Lee, and Daniel R. Lloyd, request that this Court, pursuant to  
2 Fed.R.Evid. 201, take judicial notice of two (2) documents: (1) the Complaint filed in Lee v.  
3 American Express Travel Related Services Company, Inc., docket number C-07-4765 (CRB)  
4 (N.D. Cal. Sept. 9, 2007) (Exhibit "A" hereto, includes Exhibits 17, 18, 19, 28, 29, and 30 only);  
5 and (2) the hearing transcript relative to the Defendants' motion to dismiss in Lee v. American  
6 Express Travel Related Services Company, Inc. argued before Judge Charles H. Breyer on  
7 Friday, November 30<sup>th</sup> 2007 (Exhibit "B" hereto).  
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10 The grounds for this motion are that they are necessary for the Court of evaluate the  
11 Defendants' "Statement of Recent Decision in Support of Motion to Dismiss" filed on  
12 December 20, 2007. Furthermore, these documents are not subject to reasonable dispute in that  
13 they are capable of accurate and ready determination by resort to sources whose accuracy cannot  
14 reasonably be questioned, i.e., the files held by the clerk for the U.S. District Court for the  
15 Northern District.  
16

17 Judicial notice of these documents is thus required in order for this Court to be fully  
18 apprised of the Plaintiffs' legal arguments in Lee v. American Express Travel Related Services  
19 Company, Inc., and the rationale for Judge Breyer's decision in that case.  
20

21 Dated: January 19, 2008

Respectfully submitted,

22  
23  
24 By: 

25 Matthew S. Hale, Esq.  
26 Counsel for Plaintiffs,  
27 David J. Lee and Daniel R. Lloyd  
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